

1
2
3
4
5

6 IN THE UNITED STATES DISTRICT COURT

7
8

FOR THE NORTHERN DISTRICT OF CALIFORNIA

9

WILLIAM J. WHITSITT,

10

Plaintiff,

No. C 08-01803 JSW

11

v.

**ORDER DIRECTING SERVICE
ON DEFENDANT R. LANCE &
SON AND SETTING CASE
MANAGEMENT CONFERENCE**

12

JEAN ZEDLITZ, et al.

13

Defendants.

14

15

On November 2, 2011, the Ninth Circuit issued an opinion in which it affirmed, in part, and reversed, in part, this Court's Order granting Defendants' motion to dismiss. In that Order, the Court also dismissed a due process claim that Plaintiff asserted against R. Lance & Son. The Ninth Circuit reversed and remanded with instructions to direct service upon R. Lance & Son, so that it could file a responsive pleading or motion. On November 25, 2011, the Ninth Circuit issued its mandate.

16

17
18
19
20

21

Accordingly, it is HEREBY ORDERED that the Clerk shall reopen this case. It is FURTHER ORDERED that, pursuant to the Order granting Mr. Whitsitt leave to proceed *in forma pauperis* (Docket No. 5), the Clerk shall issue summons, and the U.S. Marshal for the Northern District of California shall serve, without prepayment of fees, a copy of the complaint, any amendments, scheduling orders, attachments, plaintiff's affidavit, a copy of the original order granting Plaintiff *in forma pauperis* status, and a copy of this Order on Defendant R. Lance & Son.

22

23
24
25
26
27

28

//

1 It is FURTHER ORDERED that this matter shall be scheduled for an initial case
2 management conference on Friday, March 23, 2012 at 1:30 p.m., in Courtroom 11, 450 Golden
3 Gate Avenue, 19th Floor, San Francisco, CA, 94102. The parties case management conference
4 statements shall be due on or before March 16, 2012.

5 **IT IS SO ORDERED.**

6
7 Dated: December 16, 2011

8
9
10
11
12 
13

14 JEFFREY S. WHITE
15 UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

WILLIAM J. WHITSITT et al.

Case Number: CV08-01803 JSW

Plaintiff,

CERTIFICATE OF SERVICE

V.

JEAN ZEDLITZ et al,

Defendant.

1

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

13 That on December 16, 2011, I SERVED a true and correct copy(ies) of the attached, by
14 placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter
listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an
inter-office delivery receptacle located in the Clerk's office.

16 William J. Whitsitt
335 W. Clover Road
17 Tracy, CA 95376

18 | Dated: December 16, 2011

Jennifer Ottolini
B. Ed. - H.W. Wilson - C.

Richard W. Wiekling, Clerk
By: Jennifer Ottolini, Deputy Clerk